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# CHAPTER 17

## MOTOR VEHICLE SAFETY

### GUIDELINES FOR SAFE MOTOR VEHICLE OPERATION

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# CHAPTER 17

## MOTOR VEHICLE SAFETY

### GUIDELINES FOR SAFE MOTOR VEHICLE OPERATION

#### 17.00 INTRODUCTION

This chapter covers information to promote safe motor vehicle operation for employees who operate a State-owned, rented, and privately-owned motor vehicle while on official State business.

This chapter does not contain information regarding motor vehicle accidents. See Chapter 18 - MOTOR VEHICLE ACCIDENTS about how to report motor vehicle accidents.

#### 17.01 PURPOSE

The purpose of this chapter is to explain Departmental policies covering a variety of items relating to safe vehicle operation including; use of seat belt and shoulder harness, driver license requirements, defensive driver training, misuse, and related practices about safe motor vehicle operation.

#### NOTE:

Employees who operate motor vehicles while on state business are required to possess reasonable knowledge and understand the provisions of the California Vehicle Code (CVC) governing the operation of vehicles upon the highways, and have a knowledge and understanding of traffic signs and signals, including bikeway signs, pavement markings and delineation, and other traffic control devices.

#### 17.02 POLICY STATEMENT

Every employee who drives a motor vehicle on official State business shall possess a valid California Driver License appropriate to the type of vehicle(s) operated and possess reasonable knowledge and understand the provisions of the California Vehicle Code (CVC) governing the operation of vehicles upon the highways.

### **17.03 VEHICLE INSPECTIONS**

- Pre-operational Inspections

Employees who operate Caltrans vehicles and equipment, and/or Department of General Services fleet vehicles are required to perform a pre-operational (pre-op) inspection to check the readiness of the vehicle before the trip begins.

Employees should visually inspect the inside and the outside of the vehicle and immediately report any defects, deficiencies, or damage. All seat belts and/or shoulder harnesses or similar safety restraint devices shall be inspected during each pre-operational check of the vehicle or equipment.

If problems arise during operation, they should be reported when the vehicle is returned to the pool dispatcher or fleet operator.

Employees with an assigned a vehicle are also required to conduct a pre-operational inspection and arrange for minor servicing including lubrication, oil changes, or other routine services performed at frequencies stated on the manufacturer's service interval records. They are also responsible for the safe operation, condition, and appearance of their assigned vehicle.

See Chapter 18 - MOTOR VEHICLE ACCIDENTS for details about reporting damage.

### **17.04 LAST DRIVER/OPERATOR FAILURE TO REPORT DAMAGE**

It has long been a practice and policy that damage to a State-owned vehicle be reported as soon as possible. Appropriate forms for reporting damage to motor vehicles are explained in Chapter 18 - MOTOR VEHICLE ACCIDENTS of this manual.

However, whenever damage to a State-owned motor vehicle is found during a pre-op inspection and the damage has not been properly or previously reported, the first supervisor to notice is responsible to investigate, and, under normal conditions, the previous driver or operator may be held accountable and subject to appropriate disciplinary action. If a vehicle is damaged because of mistreatment or abuse, an assessment of the damages may be charged against the employee.

Supervisors who fail to enforce the requirements of this policy shall be subject to appropriate disciplinary action.

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### 17.05 MANDATORY SEAT BELT LAW

It is Departmental policy that whenever an employee operates or is a passenger in a State-owned, privately-owned, or rented vehicle while on official State business, he/she **shall** wear a seat belt and shoulder harness. This includes all vehicles and equipment, vanpool vehicles, and buses used by Caltrans employees.

This Departmental policy is based on the California **mandatory seat belt law** as contained in the California Vehicle Code (CVC) Section 27315(d)(1), which states in part:

“No person shall operate a . . . motor vehicle on a highway unless that person and all passengers . . . are ***properly*** restrained by a safety belt.”

(**Bold type** and *italics* from original CVC text.)

Supervisors shall instruct their employees (drivers/operators and/or passengers) that they must wear their seat belt and shoulder harness while the vehicle is in operation.

The seat belt and shoulder harness shall be used in accordance with the manufacturer's instructions.

The shoulder harness shall be worn over the shoulder and not placed under the arm.

The seat belts and shoulder harnesses are not to be taken off for reasons of personal comfort while the vehicle is in operation.

If a vehicle is equipped with automatic shoulder restraints, the seat (lap) belt must also be fastened. Only vehicles equipped with a single manufacturer's installed seat belt or "lap belt" may be operated without a shoulder harness.

If the seat belt or shoulder harness is non-operational or needs adaptive equipment, the correction should be made prior to use; e.g., when seat belt extensions are needed for large people.

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**17.06 ENFORCING THE USE OF SEAT BELTS AND SHOULDER HARNESSSES**

To ensure compliance with the seat belt policy, supervisors **shall** include discussions about the use of seat belts and shoulder harnesses whenever an employee plans to drive or be a passenger in a vehicle. These discussions can take place during routine staff meetings, or during safety meetings, including “tailgate” safety meetings.

Also to ensure compliance with the seat belt policy, supervisors **shall** make either periodic visual spot checks, or conduct some other method of review/surveillance at all Caltrans facilities and/or work locations.

- **VISUAL SPOT CHECKS**

Visual spot checks to enforce the use of seat belts and shoulder harnesses will mean different things in different work locations:

**Office work locations**

In most office work locations the only practical way to ensure compliance and enforcement of the policy is to include discussions about the use of seat belts and shoulder harnesses during meetings.

It is understood that in an office work setting it is not practical, and it is sometimes difficult, to physically walk to a vehicle and look into the window of the vehicle to confirm the use of seat belts and shoulder harnesses. Supervisors must use some discretion and judgement in their efforts to confirm that employees use their seat belt and shoulder harness.

**Field work locations**

It is understood that it is not practical for field supervisors, and it is sometimes difficult or impossible, to physically walk to a vehicle and look into the window of the vehicle to confirm the use of seat belts and shoulder harnesses.

It is also understood that many field supervisors may not see their employees or have physical contact with their employees every day.

Therefore, like office supervisors, field supervisors must also use some discretion and judgement in their efforts to confirm that employees use their seat belt and shoulder harness.

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- **SUGGESTIONS FOR ENFORCEMENT**

The following suggestions will help supervisors encourage and ensure compliance:

1. Remind employees that it is California State law and Departmental policy that whenever an employee operates a State-owned, privately-owned, or rented vehicle while on official State business, he/she shall wear the seat belt and shoulder harness.
2. Remind employees that statistics show that the accident's severity is more significant when seat belts and shoulder harnesses are not worn.
3. Remind employees about initiating disciplinary action against any employee (supervisor or manager) who fails to comply with the Department's seat belt and shoulder harness policy.
4. Remind employees that injuries and fatalities caused by the failure to wear a seat belt or shoulder harness could result in the denial of benefits including medical and life insurance payments.
5. Remind employees (the driver/operator) that the injury or death of a passenger who did not wear a seat belt and shoulder harness could cause the driver/operator to be given adverse action for failure to enforce the seat belt policy.

Supervisors should refer to the "Caltrans Guide to Employee Conduct and Discipline" for details.

### **17.07 DRIVER LICENSE REQUIREMENTS**

All employees (\* see note) who drive a motor vehicle on State business shall possess a valid California driver's license appropriate to the type of vehicle(s) operated, as defined in Division 6 DRIVERS' LICENSES of the California Vehicle Code (CVC). Employees are responsible that his/her license is renewed on time and is valid whenever they operate a vehicle on State business.

Section 0751 of the State Administrative Manual (SAM) requires supervisors to verify that employees have a valid driver license appropriate for the vehicle(s) being driven.

Supervisors shall ask each employee to show his/her driver's license to verify its expiration date and to ensure the license is valid.

\* See note on next page.

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It is appropriate for supervisors to verify an employee's driver license at any time, or at least annually at the time of issuing an Individual Development Plan and Appraisal Summary, and/or at the time supervisors discuss an employee's probationary report.

\* NOTE:

Employees who work for Caltrans and live in another state are authorized to operate Caltrans vehicles as long as they possess a valid driver's license from their home state.

Supervisors shall verify the employee's driver license in the same manner required for California residents.

#### **17.08 DRIVER LICENSE FEES**

All employees are obligated to pay the fees for their own driver's license except for the medical examination portion for specialized driver's license noted below.

#### **17.09 MEDICAL EXAMINATION FEES FOR DRIVER'S LICENSE**

The Department may pay the fees for the medical examination portion of the driver's license for employees who must have a specialized driver's license (Class A or Class B, require a medical certificate), if provision for such payment is contained in either the collective bargaining agreements or Departmental policy.

Employees should contact their supervisor and/or review the applicable Memorandum of Understanding (MOU) covering their collective bargaining unit for information.

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**17.10 EMPLOYEE DRIVING RECORDS**

- **BIT Program and PULL NOTICE Program**

The following information describes how and why Caltrans management receives and handles employee driving records from the Department of Motor Vehicles (DMV).

The California Commercial Motor Vehicle Safety Act of 1988 created a program called the Biennial Inspection of Terminals (BIT) program that is administered by the California Highway Patrol (CHP).

One part of the BIT program requires Caltrans to enroll its employees who operate equipment that requires the possession of a Class A or Class B Driver's License in the Department of Motor Vehicles' program known as the "Pull Notice Program."

Enrollment of Caltrans employees in the DMV Pull Notice Program results in individual employee driving records being sent to the Department once or twice each year depending upon how many employees are enrolled under a single requestor code. Notices are sent yearly over 500 enrollees and biannual for less than 500 enrollees, or whenever there is activity on the employee's driving record.

Upon receipt of an employee's driving record, the District, Service Center, or Headquarters Pull Notice Coordinator will notify the employee's supervisor of any activity that warrants further review or discussion, as defined in Section 1808.1 of the CVC.

Within Caltrans there are three (3) groups of employees who are enrolled in the DMV Pull Notice Program:

1. Employees whose classification requires the possession of a valid driver's license of the appropriate class as a minimum requirement. This group includes most Caltrans Maintenance classifications.
2. Employees who are enrolled as a result of the BIT program. This group includes employees who operate equipment that requires a Class A or Class B Driver's License.
3. Employees who are eligible for a safety incentive award that has a criteria which includes a provision about not having received a citation for a motor vehicle code violation. This group of employees is identified in the collective bargaining agreements containing such provisions.

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Driving records of an employee enrolled in the BIT program, or from the DMV Pull Notice Program, shall also be maintained in the office of the employee's supervisor.

Enrollment of an employee in the DMV pull notice program will be terminated upon the employee's separation from the Department. Supervisors should notify the Pull Notice Coordinator of changes.

Employees who work for Caltrans and live in another state may operate vehicles and equipment as long as they possess a valid drivers license from their home state. Employees in this category do not appear in the DMV Pull Notice Program.

### **17.11 DEFENSIVE DRIVER TRAINING**

The Department of General Services, Office of Risk and Insurance Management, approves and develops statewide driver training courses. Videotapes present material that asks students for their solutions to various vehicle collision situations. Subjects include avoidance techniques, reducing risks, defensive driving practices, and driver attitudes. The course refreshes the driver's memory of forgotten practices, shows good driver practices, teaches new practices, and vision control.

The State Administrative Manual (SAM) represents the legal basis for requiring State agencies to provide defensive driver training programs to their employees. Consistent with Caltrans commitment to providing a safe and healthy workplace, all qualifying employees are required to attend defensive driver training programs.

Section 0751 of the State Administrative Manual (SAM) states that **frequent drivers** shall attend and successfully complete a defensive driver training course at least once every four (4) years.

For the purpose of the Caltrans Defensive Driver Training, **frequent drivers** include employees who drive a State vehicle, privately-owned, or rental vehicle on official State business under the following definitions:

- **For Field Work Assignments**

**Frequent drivers** in field work assignments is any employee assigned to one of the following Programs; Maintenance\*, Structures, Surveys, Equipment, Construction, or any other Program work activity that would be considered as "field work" or a "field assignment."

- Some Maintenance Program employees who attend the Maintenance Equipment Training Academy (META) may be exempt from attending the Department of General Services sponsored defensive driver training program. Maintenance managers and supervisors should contact the Maintenance Program Managers office for details.

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- **For Office Work Assignments**

**Frequent driver** in office work assignments is any employee who regularly drives a State vehicle, privately-owned, or rental vehicle at least once a week, or fifty (50) times a year, on official State business.

All other employees (field or office assignment) who do not fall within the **frequent driver** definitions are not required to attend defensive driver training.

In addition to the defensive driver training described above, SAM Section 0751, states that employees who have a record of traffic violations and/or accidents shall attend defensive driver course at least once every two (2) years.

Employees who fall into this category and/or exhibit or continue to exhibit poor driving skills should be required to attend special driver-instructor training courses.

Managers and supervisors are responsible to ensure that qualifying employees are enrolled, attend, and successfully complete defensive driver training programs.

## **17.12 MISUSE OF STATE-OWNED MOTOR VEHICLES**

Every employee who operates a State vehicle is responsible to operate it in a safe manner and maintain the vehicle according to the manufacturers recommendations. Additionally, employees shall not operate a State vehicle for personal use. Managers, supervisors and employees shall comply with the following guidelines:

The Department of Personnel Administration (DPA) Sections 599.802 defines misuse of a State vehicle as:

- a) when an employee drives or uses a State vehicle for any purpose other than in the conduct of official State business;
- b) when an employee drives to or from their home or the vicinity of their home after completion of the work day without specific approval;
- c) carrying in the vehicle any persons other than those directly involved with official state business, i.e. family members, friends, etc.
- d) mistreatment and abuse.

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Department of Personnel Administration (DPA) Sections 599.803 through 599.806 defines other provisions for actual costs and liability, and penalties for misuse of a State vehicle.

Managers and supervisors shall investigate instances of alleged equipment mistreatment and abuse and take appropriate disciplinary action.

For additional information contact the Personnel Office in the Administrative Service Center in Sacramento.

### **17.13 VEHICLE BACKING POLICY**

Before backing a vehicle, the driver shall visually inspect all sides of the vehicle to observe any obstacles and clearances in the area. This may require the need to exit a vehicle and walk around the vehicle. The driver shall also be alert to the possibility of pedestrian or vehicular traffic, which might enter the backing area.

When two or more employees work together, the driver should ask the other employee to assist by observing the area to the rear of the vehicle before starting the backing movement.

When practicable, vehicles should be parked so a backing movement will not be necessary. If it is necessary to park or stop a vehicle in a position that will require backing, the vehicle should be positioned in a manner that maximizes visibility to the rear and critical areas adjacent to the vehicle.

### **17.14 SECURING LOADS**

The driver/operator is responsible to secure and/or cover all loads and ensure that tools, tool compartments, side gates, and tailgates are secure before the equipment or vehicle is moved. If another employee is assisting in securing the load, the driver/operator is responsible to check the vehicle before the vehicle is moved.

#### NOTE:

See the Maintenance Program, Code of Safe Operating Practices (formerly known as the Division of Maintenance) for more details.

Reference: California Vehicle Code (CVC) Section 23115.

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**17.15 TOWING - Check height, secure hitch, and safety chain**

The driver/operator is responsible to check the height, secure the trailer, trailer hitch, safety chains, and attachments before the equipment or vehicle is moved. If another employee is assisting in securing the trailer, the driver/operator is responsible to check the vehicle before the vehicle is moved.

NOTE: See the Maintenance Program (formerly Division of Maintenance) Code of Safe Operating Practices for more details.

Reference: California Vehicle Code (CVC) Sections 29000 – 29009, et al.

**17.16 AMBER WARNING LIGHTS**

Section 25256 of the California Vehicle Code (CVC) allows Caltrans vehicles to display flashing/rotating amber warning lights, ". . . when such vehicles are parked or working on the highway."

Amber lights should only be used to alert traffic of workers on foot or operations near the traveled way. Do not use amber warning lights while driving, when parked in an established lane closure, or when no danger to the employee or motorist exists. Misuse and overuse of these warning lights seriously reduces their effectiveness. When working during the hours of darkness, use the amber lights with discretion. Do not blind or distract traffic needlessly. At times, the emergency flashers of the vehicle may be more effective.

**17.17 PARKING AND/OR STOPPING ALONG STREETS AND HIGHWAYS**

When parking and/or stopping on the shoulder area of a highway, and the vehicle will not be used as a physical barrier, always park the vehicle as far off the paved shoulder area as possible. Choose a location carefully, so the vehicle will not affect passing traffic, and will not interfere with employee sight distances.

Where possible, park motor vehicles in a manner that will minimize exposure to moving vehicular traffic and provide a physical barrier between employees and any traffic that may enter the work zone.

**17.18 DISABLED VEHICLE PROCEDURES**

All State-owned vehicles are provided with a directory listing of who and where to call in the event the vehicle becomes disabled.

Never leave a disabled vehicle where it may block the normal movement of traffic. Always attempt to move the disabled vehicle off the roadway for diagnosis of the problem as well as repairs. If necessary, have the vehicle towed to a safe location.

**17.19 PARKING A STATE VEHICLE AT HOME**

Whenever an employee uses a state-owned (Caltrans or General Services fleet) vehicle and is required to keep the vehicle overnight at his/her private residence, the state vehicle shall be locked and parked off the street. It may be parked in the employee's garage or driveway or at some other location where the vehicle is removed from the public street. This will reduce the hazard of accidental damage, theft, or vandalism to the vehicle.

Supervisors are responsible to advise their employees of the requirement to park a state vehicles "off-street" unless permitted otherwise.

**17.20 USE OF PRIVATELY-OWNED MOTOR DRIVEN VEHICLES****17.20 (a) Automobiles, pickup trucks, and vans**

Employees who want to drive a privately-owned vehicle on official state business must have approval from their supervisor before using their private vehicle and before they request reimbursement for expenses.

Employees must submit a Form FA 0205A, "AUTHORIZATION TO USE PRIVATELY-OWNED VEHICLES ON STATE BUSINESS," to their supervisor for approval on an annual basis.

The supervisor shall retain the original copy of the form for mileage rate verification when approving Travel Expense Claim reimbursement for personal vehicle used on state business. See the State Administrative Manual (SAM), Section 0753 for more information.

The employee should retain a copy of the approved form for his or her own record.

It must be understood that to drive a privately-owned vehicle on state business is a privilege which may be denied, suspended, or revoked.

A sample of Form FA 0205A, AUTHORIZATION TO USE PRIVATELY OWNED-VEHICLES ON STATE BUSINESS, is shown at the end of this chapter.

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**17.20 (b) Motorcycles, mopeds, motor-driven cycles, and motorized bicycles**

**Privately-owned motorcycles, mopeds, motor-driven cycles, and motorized bicycles as defined in the California Vehicle Code (CVC) are NOT authorized as a means of transportation in the conduct of any official Caltrans business.**

Employees are prohibited from using motorcycles, mopeds, motor-driven cycles, and motorized bicycles on official Caltrans business. Further, employees cannot submit travel expense claims for using motorcycles, mopeds, motor-driven cycles, and motorized bicycles.

The State Administrative Manual (SAM) Section 0759, and the Department of Personnel Administration (DPA) Rule 599.626(f) **prohibit** any reimbursement for mileage and/or transportation expenses for motorcycles, mopeds, motor-driven cycles, and motorized bicycles.

Employees who violate this policy may be subject to disciplinary action. If an employee is injured in an accident, while in violation of this policy, he/she may be denied workers' compensation and related benefits.

\* \* \* \* \*

JULY 1996

17-16

**AUTHORIZATION TO USE PRIVATELY-OWNED VEHICLE ON STATE BUSINESS****FORM FA 0205A**

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**AUTHORIZATION TO USE PRIVATELY-OWNED VEHICLES ON STATE BUSINESS**  
FA-0205A (REV. 1/97) CT# 7541-1521-0

**PERSONAL INFORMATION NOTICE**

Pursuant to the Federal Privacy Act (P.L. 93-579) and the Information Practices Act of 1977 (Civil Code Sections 1798, et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.17 of the IPA of 1977. Each individual has the right upon request and proper identification, to inspect all personal information in any record maintained on the individual by an identifying particular. Direct any inquiries on information maintenance to your IPA Officer.

**NOTE:** Instructions on back of form

NAME (Print) LAST	FIRST	INITIAL	SOCIAL SECURITY NUMBER	B. U. NUMBER
				<input type="checkbox"/> E <input type="checkbox"/> M <input type="checkbox"/> S <input type="checkbox"/> C

**IN ACCORDANCE WITH STATE POLICY (S.A.M. 0754), APPROVAL IS REQUESTED TO USE  
MY PRIVATELY OWNED VEHICLE (S) TO CONDUCT OFFICIAL STATE BUSINESS.**

MAKE	YEAR	MODEL	LICENSE NUMBER	ENTER MILEAGE RATE REQUEST

**I HEREBY CERTIFY** that whenever I drive a privately-owned vehicle on State Business I will have a valid driver's license in my possession, all persons in the vehicle will wear safety belts and the vehicle shall always be:

- |   |  |
|---|--|
| 1. Covered by liability insurance for the minimum amount prescribed by state law.<br>\$15,000 for personal injury to or death of one person; \$30,000 for injury to or death of two or more persons in one accident, \$5,000 property damage.<br>Employees must be able to show evidence of auto liability insurance coverage currently in force. (State Financial Responsibility Act, Chapter 1322, 1985.) | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 2. Adequate for the work performed.   | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3. Equipped with seat belts in operating condition.   | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 4. To the best of my knowledge, in safe mechanical condition, as required by law.   | <input type="checkbox"/> YES <input type="checkbox"/> NO |

**NOTE:** COLLISION INSURANCE IS NOT REQUIRED, BUT THE STATE CANNOT REIMBURSE AN EMPLOYEE FOR DAMAGE SUSTAINED TO THEIR PRIVATE VEHICLE WHILE IN USE ON STATE BUSINESS IF THE EMPLOYEE CHOOSES NOT TO MAINTAIN COLLISION INSURANCE UNDER THE PROVISIONS OF DPA RULE 599.630.

*I agree that while using my privately-owned vehicles on official State business, all accidents will be reported on State Form 270 within 48 hours (SAM 2441). I understand that permission to drive a privately-owned vehicle on State business is a privilege which may be suspended or revoked at any time. For mileage reimbursement rates which exceed the State minimum rate, I certify that the actual cost of operating the vehicle was equal to or greater than the rate claimed.*

EMPLOYEE RESIDENCE ADDRESS	ONE WAY MILEAGE RESIDENCE TO HEADQUARTERS
EMPLOYEE SIGNATURE	WORK PHONE NUMBER
	DATE

**APPROVAL**

USE OF A PRIVATELY-OWNED VEHICLE TO CONDUCT OFFICIAL STATE BUSINESS IS APPROVED  
IN ACCORDANCE WITH S.A.M. SECTION 0754.

SIGNATURE OF AUTHORIZATION-CURRENT SUPERVISOR	PRINT NAME	DATE	BUSINESS PHONE

**Prepare in Duplicate:**

White - Supervisor

Yellow - Employee